

## CONFIDENTIAL

## JOURNAL

## OFFICE OF LEGISLATIVE COUNSEL

Wednesday - 29 May 1974

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1. [ ] Called Doug Marvin, Senator Roman Hruska's staff man on Senate Judiciary Committee, for his prognosis on the Muskie amendment tomorrow. Marvin said it will be very close, Senator Hruska appears to be the only spokesman for the compromise and Senator Kennedy will support the Muskie amendment. We reviewed the names of a number of Senators who might be helpful to Hruska's position, including Senators McClellan, Stennis, Pastore, Jackson and Scott and I said we would see what we could do to punch through to those on our Subcommittees.

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2. [ ] Called Norvill Jones, Subcommittee on Surveillance staff, Senate Foreign Relations Committee, concerning the Muskie Surveillance Committee questions explaining that although we were swamped we were not forgetting his requirements, which he appreciated. I said that if we couldn't get something up to him this week that certainly with Mr. Cary's return we should have something next week,

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3. [ ] Met with Ed Braswell, Chief Counsel, Senate Armed Services Committee, and discussed the upcoming Muskie amendment to the Freedom of Information Act, gave him a package of material explaining our position and urged him to lend us a hand.

Braswell still has no answer on the \$3.8 million for Laos. He said he has not had an opportunity to review it with Chairman Stennis. I said we are being pressed and he replied sharply that he is immersed with larger issues, and "tell them" that he will get to it when he can.

I provided him with a copy of Warner's statement before the Muskie Subcommittee. He commented that sessions such as these are inevitable, especially as the Agency branches out into the economic field and that the Committee could not be expected to successfully maintain the scope of jurisdiction it has exercised heretofore as the Agency continues on paths beyond the Committee's aegis.

Braswell said Senator Proxmire would be proposing two amendments to the authorization bill, scheduled for the floor next week. Although the language is not available, one would restrict CIA domestic operations and the other would make public overall budget figures for intelligence activities. Braswell will need some help on these and I said we would provide some backup material for their use and would appreciate getting the exact language as soon as possible.

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25X1 4. [ ] Attended an open session of the Muskie Subcommittee on Intergovernmental Relations, Senate Government Operations Committee, at which John Warner, General Counsel, testified. Senators Muskie, Chiles and Roth were in attendance at various times. Considering the atmosphere, the predilections of the members and the subject matter, the session went very well. Mr. Warner was pushed in several areas: reaction to McGeorge Bundy's recommendation that the congressional committees make greater use of CIA resources and capabilities and Warner explained that we were providing a variety of substantive intelligence briefings to a number of committees; who determines which committees receive information on Agency operations and Warner replied this was for Congress to determine and we presently provided this information only to our oversight committees; a hypothetical example of top secret material which may not find its way into the Agency's index of classified material and he replied this would be difficult to do in an open session but when the hypothetical nature of the question was stressed he indicated such things as a penetration of the Chinese government. At the conclusion, we were provided a list of questions on which we are to submit answers for the record. [ ] OGC, has action.)

25X1A 5. [ ] Provided Guy McConnell, Senate Appropriations Committee staff, a copy of John Warner's prepared statement before the Muskie Subcommittee on Intergovernmental Relations. I also reviewed with him the impact of the upcoming amendment to S. 2543 and left with him a package explaining our position, that we will need support and that we have been dealing with Paul Summitt.

McConnell confirmed that he would be meeting with Harold Brownman, DDM&S, on Friday on the Renegotiation Board matter.

25X1 6. [ ] In his absence from the office, left for Ralph Preston, House Appropriations Committee staff, John Warner's prepared statement before the Muskie Subcommittee on Intergovernmental Relations along with a note concerning the two upcoming amendments by Senator Proxmire to the authorization bill, and reminding him of the Chairman and Mr. Colby's exchange on Tuesday concerning publication of budget figures.

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25X1 7. [ ] In his absence from the office, I left for Frank Slatinshek, Chief Counsel, House Armed Services Committee, a copy of John Warner's prepared statement before the Muskie Subcommittee on Intergovernmental Relations, Senate Government Operations Committee.

25X1 25X1A 8. [ ] In response to a request by William Timmons, White House, [ ] and I attended an interagency meeting at the White House to discuss strategy on Muskie's amendment to S. 2543. (See Memo for Record.)

25X1 25X1A 9. [ ] George Murphy, Deputy Director, Joint Committee on Atomic Energy staff, called to ask for an Agency evaluation of two recent news items. After conferring with [ ] OCI, I called Murphy back and provided the required information. 25X1

25X1 10. [ ] Received a call from [ ] FBI, who told me that the Bureau is actively working and may attempt a specific exemption for themselves from an amendment to be proposed on the floor tomorrow by Senator Philip A. Hart (D., Mich.) which would implement a rule (a bad one) put in by Elliot Richardson a year or so ago to the effect that all investigative files fifteen years or older be opened up for release to the public. The bad section involved relates to investigative agencies files. I told [ ] that we were working on other portions of the Freedom of Information Act, but fortunately this bad part would not be bothersome for us unless the philosophy carried over into other areas.

25X1 25X1A 11. [ ] Talked to John Lally, Counsel, Special Subcommittee on Armed Services Investigating, House Armed Services Committee, who told me he has set aside for our security review prior to publication those portions of the Committee hearings on My Lai that have reference to the Agency or Agency activities, as well as the interview of Ambassador Colby in Saigon. I thanked Lally and made an appointment for [ ] EA Division, and myself to meet with Lally tomorrow morning to review the transcripts.

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